

BILL ANALYSIS

Senate Research Center
79R16313 E

H.B. 1404
By: Deshotel (Hinojosa)
Jurisprudence
5/20/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Chapter 118, Local Government Code, governs fees that are charged by county officers. Section 118.052 directs a clerk of a county court to collect a fee for services rendered to any person, including fees charged in probate court actions.

Under current law, many documents filed and recorded in pending probate court actions are not charged a fee although work is created and expenses are incurred by the county for the recording, filing, and maintaining of these documents. H.B. 1404 amends the Local Government Code to create a schedule of fees based on page length applicable to probate cases after the filing of an order approving the inventory and appraisal or after the 120th day after the date of the initial filing. These fees will help offset the costs and expenses incurred by the county in probate cases.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 118.052, Local Government Code, to require each clerk of a county court to collect certain fees for services rendered to any person.

SECTION 2 Amends Section 101.081, Government Code, to requires the clerk of a statutory county court to collect certain fees and certain costs.

SECTION 3. Amends Section 101.101, Government Code, to require the clerk of a statutory probate court to collect certain fees and certain costs.

SECTION 4. Amends Section 101.121, Government Code, to require the clerk of a county court to collect certain fees and certain costs.

SECTION 5. Effective date: September 1, 2005.